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AN

ANSWER

TO THE

Animadverſions

ON THE

HISTORY

OF THE

Rights of Princes, &c.

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AN ANSWER TO THE ANIMADVERSIONS ON THE HISTORY OF THE Rights of Princes, &c.

WHen I first met with the Animadversions on my Book of the *Regale*, I was not a little surprized to find so many things laid to my charge, of which I never so much as suspected my self guilty: and thought it very strange if I had so unhappily expressed my self in that Book, that I had given any just occasion to such severe accusations. I knew well my intentions were innocent and sincere, and I thought my stile was not so dark or perplexed as to lead a Reader into such mistakes concerning my meaning. But what darkness soever might be in my expressions, I was very well assured I had none of those ill intentions, with which these sheets charged me. What faults soever I may be guilty of, I am sure want of Integrity or Ingenuity in my Writings is none of them, and for false Inferences, I may

through weakneſs of Judgement perhaps draw them: But I am ſure I neither affirm nor ſuggeſt any thing falſly; and do think a lie in a Book is ſo much a greater ſin than in diſcourſe, as it may laſt longer, and deceive more. And upon this point, as I venture my Soul in relation to another World, ſo I chearfully venture my reputation, which is the valuableſt thing I have in this, if it can be made appear that I have ſhewed either in that *Criminal-book*, or in any other I ever writ, the leaſt diſingenuity, want of integrity, or falſhood.

Finding my ſelf ſo ſeverely accuſed from the Preſs, in a way ſo publick, as that of two ſheets ſold about the ſtreets, and with care conveyed to ſuch perſons, whoſe ill opinion might have a particular ill effect on me, I could not be ſo over-charitable as not to think that the Writer or Publiſher of this, or both, were not acted by ſo charitable and candid a Spirit as became men of their profeſſion. I found theſe ſheets firſt in a Stationers ſhop, and ſome hours after, that I might not want the comfort of them, they were left at my houſe by the Penny Poſt: I wondred much to ſee a man that profeſſeth a zeal for the Chriſtian Religion, act ſo manifeſtly againſt ſome of the plaineſt precepts of it. For beſides the railing and ill language in it, and the uncharitable Inferences and Judgements that are made to my prejudice, the manner of doing it is ſo directly contrary to our Saviours rule of ſpeaking to our brother firſt in private, and then in the preſence of a few, before we proceed publickly againſt him; that in Charity to the Animadverter or the Publiſher, I am bound to think that he made no reflection on that precept while he wrote or publiſhed theſe ſheets. I ſpeak of the Writer and Publiſher as of two different perſons, becauſe he who is generally ſuppoſed to be the Author, did very ſeriouſly proteſt to one of the Right Reverend Fathers of the Church, that whoſoever was the Author of thoſe ſheets (which he did not directly acknowledge was himſelf) he did not intend to publiſh them till I had firſt ſeen them, but that he had put them in the hands of another to have them communicated to me, who without his knowledge publiſhed them; and he expreſſed over and over again ſome trouble by reaſon of their being Printed in ſuch a manner. This I take as it was told, without making any reflections on it. It cannot be denied, but his friend ſhewed an officious keenneſs in this matter, and it is hard to tell whether in publiſhing them without his leave, he ſhewed himſelf leſs his friend than

than mine, and it was a ſtrange piece of forwardneſs to Print ſuch Animadverſions without the Authors conſent, eſpecially he being here in Town.

I had indeed upon another great occaſion, ſhewed how ready I was to receive corrections of ſuch miſtakes as I had made, and how willing I was not only to ſubmit to ſo kind a cenſure, but publickly to own to the world both my own Errours, and the obligations I lay under, to that friendly and learned perſon who diſcovered to me ſome faults in the firſt Volume of my Hiſtory of the Reformation of this Church. I confeſs the ſtile of theſe Animadverſions had nothing of the gentleneſs and good breeding which was in the other Animadverſions, and as much as the one exceeded the other in the matter, being really well founded, ſo much did it alſo in all reſpects ſhew the worthineſs, the exactneſs, and the candour of the Writer, which, I confeſs, do not appear ſo very evidently in this: And I muſt ſay, if it was intended I ſhould have ſeen it firſt, and ſo have been gained by it to have retracted what was amiſs, the ſtile was not well conſidered: For he that reproves and corrects as a Brother, with deſign to gain ground on him to whom he offers ſuch admonitions, ought to gild the pill, and do ſomewhat to temper the averſion that is too natural to all men for ſuch diſcoveries.

As ſoon as I went home, and had got among my Books, I turned to the places for which I was accuſed, and quickly found there was no cauſe given for all thoſe Tragical complaints; and that notwithſtanding the diſcipline that was ſo liberally beſtowed on me, there were only two places in which there was the leaſt colour of advantage againſt me. The one was, that I cited a Capitular of *Charles the Great*'s that was not full to the point, and forgot to refer to another that was much fuller. The other was, that I had taken *Zonaras*'s words too large, and that what he had ſaid was neglected by the greater number of the Biſhops, I cited as if all the Biſhops had neglected it. Theſe being the only two paſſages for which I could cenſure my ſelf, I did take heart a little, and preſently writ a particular Anſwer to the Animadverſions, in which there was mixed ſuch a ſharpneſs of ſtile, that how much ſoever I had been provoked to it, yet I could not think it any way becoming my profeſſion to publiſh it with ſo much acrimony, which I thought might be more eaſily forgiven in that Paper, that was intended to be ſeen only by ſome few, and in particular by him that was

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ſuppoſed to be the Author of them, for I was not unwilling that he might ſee what I could in Reaſon and Juſtice ſay in my own defence, and in anſwer to him, though upon other reaſons I did not think it convenient to publiſh it to the world in that ſtile.

In the beginning of his Paper I am told that there are *ſo many things that ſeem amiſs in my Book, that it would be extreamly tedious to ſet them all down, and that therefore ſome general hints, and a few inſtances are only picke out.* This, I confeſs, I look on as an artifice too common to work much on any perſon, and therefore I do believe the Animadverter has done his worſt: yet leſt I ſhould fall aſleep upon this confidence, I am told in the end that if I do not ſpeedily correct in a ſecond Impreſſion what is amiſs in the firſt, I may look for ſome *rougher hand*; but what hand can be *rougher* that keeps the Kings Peace, and does not uſe a Cudgel or a Brick-bat, I do not imagine: For how I can be uſed more ſharply in words, than when I am taxed with want of *Integrity* and *Ingenuity*, of *falſhood* and *ſedition*, and *being an Enemy to the Government both in Church and State*, I cannot readily apprehend. But, I thank God, I have learnt to bear ill language and unjuſt dealing without making the ordinary returns. I will not pretend with the Philoſopher to ſay, *If an Aſs kick, ſhall I kick again*; but, I hope, I may be allowed to learn of our Saviour, who *when he was reviled, reviled not again*: and ſince he has commanded his Diſciples to pray for them that deſpitefully uſe them: I ſhall make no other return to all thoſe reproaches, but to pray God to inſpire both the Animadverter and the Publiſher with a better temper, and to make them conſider well when they bring their *gift to the Holy Altar*, whether before they *offer* or *conſecrate* it, they ought not to do ſomewhat previous to it, for the ſatisfaction of one, whom, without any cauſe that I know of, they have treated not as a *Brother*, but as an *Enemy*.

I once intended to publiſh no anſwer at all, but to reſt ſatisfied with the Vindication which I offered to a few of my Friends, and to the ſight of ſuch as deſired it, having laid my anſwer in a Stationers ſhop, where any that were curious might find it. I was firmly reſolved againſt ſaying any thing in Print at all, for I thought in a time of common danger we had ſomething elſe to be buſied about than the engaging in perſonal matters, by which the Enemies of the Church might have the diverſion of ſeeing us employ the Preſs one againſt another, and I had ſome time ago freely, and of my ſelf promiſed to ſome of my ſuperiours, that if any thing in my

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Book ſhould draw forth an Anſwer from any of the friends of the Church, I ſhould ſit ſilent, and leave what I had written to ſtand or fall according to the ſtrength that was in it. This I meant only of ſuch a fair anſwer, as might have been expected from a Scholar, or a Divine, and therefore I did not conceive my ſelf bound by it, when I was ſo openly, and violently traduced, yet I was ſo exact to what I had ſeemed to promiſe, that I would ſay nothing of this matter, till one of the Right Reverend Fathers of the Church told me it was neceſſary for me to free my ſelf of thoſe imputations, and he undertook that my ſuperiors ſhould not be ill ſatisfied with it, if I wrote without reflection or ſharpneſs of ſtile. Upon this Encouragement, I now publiſh my anſwer, and ſhall obſerve that caution ſo carefully, that I will rather give the Reader cauſe to complain that I write flat, than ſprinkle it with that Salt, which is thought neceſſary to give ſome reliſh to this dull ſort of writing. And if thoſe that read what I wrote firſt, thought it too ſharp, I am confident they will rather think this is too much in the other extream. I do not affect Satyre, nor am I ſo much concerned in what cenſures may paſs upon me, as to endeavour to redeem my ſelf from them, by any methods which are not ſutable to the gravity and gentleneſs that become my Profeſſion. I now come to the Animadverſions themſelves.

The firſt thing objected to me is, that the greateſt part of the inſtances in the former and latter parts of my book are borrowed from *De Marca*, and that I diſguiſe them as if I had taken them from the Originals: I do not deny that I read *De Marca* very carefully, but he muſt needs know, if he has compared the Quotations, that I have ſearched the Originals themſelves: And indeed I do not remember of any one Quotation in that whole book, taken from ſecond hand, which I do not cite as from that hand. For this he firſt cites *page* 27, 28, 29, 30. compared to *De Marca, page* 383. In all which there are but ten Quotations, of which four are not mentiond by *De Marca*, ſo that here are but ſix Quotations that he can pretend are from him. He again cites *Page* 205. 210. and refers me to *De Marca* 439. and 442. *Page* 205. there are four Quotations, of which three are not cited by *De Marca*, and for the fourth, if he will come to my cloſet he may ſee my mark on the book from which I vouch it. *Page* 210. there are but two Quotations, one is from *Baluſius* notes upon *De Marca*, and the other is from *Goldaſtus*, which though I have not by me

me, yet I compared it exactly, ſo this charge comes to nothing.

His next charge is, that *page* 16. I had aſſerted with *De Marca*, that there was no ſet quantity for the Chriſtians oblations; but forgot to obſerve from him, that *Irenæus* ſaid they exceeded the tenth part of their Revenues. I aſſert no ſuch thing from *De Marca*, but from St. *Paul*, that he ſet no rate on them: And it was not neceſſary that I ſhould vouch *Irenæus* from *De Marca*, when in that very page I cite his own words, *that the Chriſtians did not give leſs than the Jews, who gave Tithes, but converted all they had to Religious uſes*; and I do not ſee how neceſſary it was for me to ſay that *De Marca* had obſerved this.

The ſecond head of my Accuſation is of thoſe paſſages, wherein I have miſtaken the words or the ſenſe: I ſhall not criticize about the miſtaking of words, which may be *miſcited*, but not *miſtaken*. He tells me he could at leaſt produce 40 examples of this, but in great tenderneſs for me, he gives 7 for the ſpecimen; ſo the other 33 are to be judged by theſe.

The firſt is *page* 13. He accuſes me for ſaying that mention is made of Elections by the People in the Second and Sixth Canons of the Council of *Nice*; and affirms that mention is made of them in neither of thoſe Canons. I ſee no way of conviction, but to conſider the Canons themſelves. In the Second, mention is made of ſome things that were done againſt the Eccleſiaſtical Canon ἐπειγομένων τῶν ἀνθρώπων, through the urgency of men; and they inſtance it in two particulars, the one is that they brought thoſe who were newly converted from Heatheniſme to be baptized; the other is, that as ſoon as they were baptized they uſed προάγειν εἰς ἐπισκοπὴν ἢ πρεσβυτερεῖον, to *promote* or *bring*, or *advance* to a *Biſhoprick*, or *Presbyterate*. Now though theſe words alone might perhaps be wreſted to another ſenſe, yet if we compare them with the Hiſtory of that time, they can admit of no other ſenſe; eſpecially if we compare them with the citations from *Nazianzen*. *page* 32. And for the Sixth Canon that common ſuffrage of all τῇ κοινῇ πάντων ψήφῳ συνόδῳ, which was to take place, notwithſtanding the oppoſition of two or three, can only be underſtood of the Election by the People: For that ſuffrage which the Biſhops gave, when they approved of it, and proceeded to ordain the elected perſon, was not determined by the Majority: For the Metropolitan had a Negative. So that the Election where the Majority prevailed, muſt be only underſtood of the decree, that was made by the people.

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I did never deny that the Biſhops had a power to confirm or reject this Election, but do expreſly aſſert that they were Judges of the fitneſs of the perſon choſen.

Page 18. He accuſes me for citing *Cyprians* words, *Epiſt.* 66. wrong, and to make this paſs the better he puts thoſe words which I had ſet down as my own, in *Italica*, to make it appear that I had ſet them down as a part of *Cyprians* words, and had rendred *quæ nunc ratio & forma tenetur, inſtead thereof.* If the ſcope of *Cyprians* Epiſtle is conſidered, it will appear to how little purpoſe theſe words are cited. St. *Cyprian* is arguing againſt Churchmens medling in Secular affairs, and he brings the inſtance of the Prieſts and Levites among the *Jews*, who were well provided for by Tythes, that they might have no tentation lying on them, to entangle themſelves with the cares of this World. *Which reaſon and form*, ſays he, *is obſerved in the Clergy*: The *reaſon* was that they being well provided for, might be freed from theſe diſtractions, and the *form* was their receiving their ſhare out of the Basket, as a Tythe of the fruits of the Earth.

In the end of this Paragraph, he accuſes me for ſaying that *Origen* affirmed that *Firſt-fruits were only to be payed under the Goſpel*: and ſays that he mentions *Tythes as due under the Goſpel.* By this it appears that either theſe Animadverſions were writ in haſt, or that the writers thoughts went too quick, for all I ſaid was that *Origen* concluded that *Firſt-fruits only were to be brought to the Prieſt.* And it is certain that he does not ſpeak one word of *paying Tythes to the Prieſt*; but all along repeats that of the firſt-fruits: So that it does not appear that he thought it neceſſary to *bring Tythes to the Prieſt.* But I never ſaid that he affirmed that firſt-fruits were only *due under the Goſpel.* There is a great difference between what was to be *paid to the Prieſt*, and what *Chriſtians ought to ſet off for Charitable and Pious uſes.*

Page 52. He accuſes me for ſaying that *Charles* the Great ſubjected the Church Lands to the common ſervices, ſuch as building of Bridges, *&c.* And I do not deny that the Capitular there cited does not clearly prove it; but it proves this, that thoſe that were obliged to thoſe ſervices were to be required by ſuch as the Biſhop and the Count ſhould name, and who theſe were appears by an ancienter Capitular of *Pepins* the younger *An.* 793. *cap.* 29. by which all perſons were required according to ancient cuſtom to repair Churches, to make Bridges and mend High-

ways, and *none were to pretend immunity*: Which is clearly a carrying on of *Honorius* and *Theodosius* his Law cited from *Justinians* Codex. Here I confess at the first view he seems to have some advantage, but what it amounts to, I leave it to him self to judge.

Page 71. He quarrels with me for citing some formularies concerning the endowments of Churches: and tells me those are the endowments of Monasteries and not of *Parish Churches*; But I did not name *Parish Churches*; this was put in by him, otherwise he had lost his Objection. I hope he does not deny that Cathedrals are Churches, though possest by Monks. I cite but four of these, and of the first it does not appear what sort of Church it was; of the second it is clear it was the Cathedral, where St. *Martins* body lay; and it mentions Rectors as well as the Abbot. The third and fourth that I cite, are general forms of endowment, for Churches that had either Abbots or Rectors in them, and were to be filled up according to the constitution of the Church, to which the endowment was made.

Page 116. What I had set down concerning *Abraham* with a *perhaps*, and an *it seems*, he cites, as if I had positively asserted it, with this kind Animadversion, *that I wrest the Scripture to undermine the Clergy's maintenance.* If to commend the Princes that provided so liberally for the Clergy, and to condemn as a great wickedness the taking away or detaining that which is so dedicated to holy uses, be an undermining of the maintenance of the Clergy, I acknowledge my self guilty of it; but if this imports the quite contrary, then he was too inconsiderate in his censure. Nor will it serve his turn to say that some *Eastern* Kings did take Tythes; *that being begun when the Kings and Priests were one person*: For *Samuel* that is the ancientest Author cited for it, lived some ages after those two Offices were divided: And St. *Paul Heb.* 7. *ver.* 2. after that he had said that *Abraham* gave a tenth part of all to *Melchizedeck*, adds, *He being first by interpretation King of Righteousness, and after that also King of Salem*; and ver. 4. he says *consider also how great this man was, unto whom even the Patriarch Abraham gave a tenth of the spoil.* I leave it to any impartial man to consider if this will not justifie my exposition, guarded with a *perhaps* and an *it seems*. It is true St. *Paul* argues afterwards upon the supposition of Tythes being due to Priests, but this was to the *Jews* to whom he wrote: But if he had intended to bring the Christian Church under the like obligation, it is not very accountable why he did not say one word about it, this being so proper a place for it.

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Page 143. He challenges me for ſaying that the 14. Canon of the Council of *Chalons* obliged the Biſhops in their viſitations to *confirm*, and not to prey upon their people, and tells me that the Canon did only oblige, that when they did viſit to confirm, they ſhould not oppreſs their people: But the Canon in general ſpeaks *cum Epiſcopi Parochias ſuas peragrant, & ſi quando peragranda parochiæ neceſſitas incumbit*, and charges them that they ſhould confirm, enquire what was to be amended, Preach the word of God, and that they ſhould uſe their induſtry rather in the gaining of ſouls, than in the robbing and ſpoiling of their Subjects, and ſcandalizing of their brethren: Now I am not quick ſighted enough to divine what can be made out of this.

Page 192. He challenges me for citing *Zonaras*, ſaying that there were no Stewards in the *Eaſt* in his time, and alledges that he ſays that many Biſhops, and ſome Abbots did not regard the Canon that enjoyned the uſe of them. But he ſays that the greateſt part did not obſerve it, πλείους τῶν ἐγχειρίων, in which it is true I enlarged the expreſſion too generally, and put *no* for *few*, yet he contracts it as if it only ſignified *many*: But the whole matter is of no conſequence. And now if the reſt of the forty places be to be judged of by theſe as the ſample, I ſhall not much apprehend the cenſures of Learned and impartial men; but if a man has before hand reſolved to find fault, it will be no hard task to write ſevere ſtrictures, on much better books than I can pretend mine to be.

But now I come to the third head of this accuſation, of my omiſſions of many paſſages which the Animadverter thinks were as obvious to me as thoſe I have cited; and he judges that they were paſt over by me, leſt they ſhould look too favourably on the Clergies power or their right to the Tythes. But he does not know if theſe were as obvious to me, as it ſeems they were to himſelf; and he muſt know me better than he does yet, before he can judge what my intentions are.

Page 40. He quarrels with me for not citing a part of the 23. Canon of *Antioch*, and the 13. Canon of the *African* Code, which ſpeak of the Election of Biſhops. By the Metropolitan and the other Biſhops of the Province. But this was not at all neceſſary to be mentioned, for I had laid it down as a thing undiſputed, over and over again, that the Biſhops had a power of judging, after the

people had pitcht on the perſon; nor was it ever imagined by any that I know of, that the Biſhops met meerly as tools for ordaining thoſe that were nominated by the People; though violence was ſometimes uſed, for which ſee what I have ſaid *page* 7,8,9,12, 13. therefore having laid that down as an unqueſtionable truth, there was no need of accumulating more proofs: So there was no cauſe to charge this on me as a deſigned omiſſion.

Page 72. He charges me for leaving out the cleareſt and firmeſt proofs for Tythes, of the Fathers of that age; and yet as there are none more eminent than *Chryſoſtom*, *Jerom* and *Auſtin* whom I cite; ſo I do not remember to have fallen on any thing more expreſs for them in Doctor *Combers* Hiſtory of Tythes. It is very ſtrange that he does not obſerve a difference between the adviſing People to ſet off more than a tenth for Charities, and a rule obliging them to pay in a tenth, as a Rent due to the Prieſt. And that this was never ſet up in the Greek Church, nor authorized by the *Roman* Law, ſeems ſome inducement at leaſt to a man of no extraordinary ſagacity, to believe that the Divine right of Tythes payable to Prieſts, antecedently to humane Laws, was not the Doctrine of that age.

Page 119 He challenges me for not citing all the Laws made by *Charles* the Great, for the payment of Parochial Tythes, and is not ſatisfied that I cite two. But my purpoſe was to ſhew it was ſetled by him; and I do not ſee the great need of telling how oft this was repeated by him: And after that I had ſaid that *Alfred* had ſetled the payment of Tythes in *England*, I do not ſee why he ſhould object to me the not mentioning the latter Laws that came afterwards: For either thoſe were only confirmations of the former, and ſo they ſignifie nothing; or all that could have been drawn from them was to repreſent the unwillingneſs of the People to ſubmit to them, and who knows but he would have made this criminal in me.

Page 127. His next exception is that I ſay before *Caroloman* and *Pepin*, there had been no Synods in *France* for 80 years, that is from 662. till 742. and this ſtill holds good, notwithſtanding the four he mentions; for by *Synods* it is plain, my meaning was Aſſemblies for regulating the affairs of the Church. Some meetings indeed there were in that interval, which ſeem rather to have been Aſſemblies of the Eſtates or Parliaments, than Eccleſiaſtical meetings: For in ſome of them the Priviledges of Monaſteries were

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confirmed, and in other Biſhops were condemned to be beheaded. But that which he cites from *Binnius* at *Chalons* is not in my Edition, nor will I enter into diſpute with him whether *Utrecht* belongs to *France* or *Germany*. But for juſtifying what I ſaid, *Boniface* his letter to Pope *Zachary* is a ſufficient authority, for (cap. 2.) he writes to him that the *Franrks*, *as ancient men then ſaid, had had no Synod for above eighty years*. This ſerves to acquit me and hereafter he may deal with *Boniface* as he pleaſes.

Page 129. He accuſes me for paſſing over ſome words in a Canon at *Akin* which ſhew that *Charles* the Great believed that Tythes were due by a Divine right. But he cannot think I intended to diſguiſe this matter, for *page* 113. where I firſt enter upon it, I do largely ſet out the Churches pretending to a Divine right for them; and it was needleſs to repeat this at every time, though I do expreſly ſpeak of it again *page* 140. and 141.

Page 180. He accuſes me for leaving out that proviſion made for the Emperours power of annulling Elections by the Clergy and People, in the Popes conceſſion of the inveſtiture to the Emperour. But if this is not plainly enough inſinuated in theſe words, *that when a Biſhop was canonically elected by the Clergy and People, he ſhould not be conſecrated till the Ring and Staff were given him by the Emperour*, I am to ſeek as to the true uſe and ſenſe of words: For this clearly expreſſes that the Emperour had a Negative, and by conſequence the power of annulling Elections: and they are the very words of the Popes conceſſion.

The fourth Head is of the contradictions he finds me guilty of, of theſe he reckons up three, but with what ſucceſs I now come to examine.

Page 52. and 169. I had affirmed that Church Lands in *England* before the Conqueſt were ſubjected to the ſervice called *Trinoda Neceſſitas*, for *Fortifying Caſtles*, *building Bridges*, and a *rate for an expedition*, and yet from *Matthew Paris* I aſſert that they held their Lands in *Frank Almoin*, and ſo were free from all ſecular ſervice. He acknowledges I have cited Right from *Matthew Paris*; ſo all his quarrel muſt be for what I ſay of the *Trinoda Neceſſitas*. I my ſelf have ſeen it in ſome Original Charters in the *Saxon* time, which I am ready to ſhew him as ſoon as I certainly know his name. If there is a contradiction between theſe two things, I am not to be blamed for it, having good authority for all I affirm: And if there ſhould fall to be a contradiction betwixt Original Charters, and *Matthew*

Paris, who was a Monk, and ſo ready to ſpeak in favour of their priviledges, one would think it were not very difficult to determine the controverſie. But if they can be both reconciled, then the contradiction and objection both are out of doors. They were exempted from all conſtant and perſonal ſervices, and ſo were free from the bondage of the feudal tenure, yet upon great emergents they might be obliged to bear a ſhare in the publick burthens.

The two other contradictions are a little odd. He tells that whereas *page* 117. I had made this diſtinction betwixt the Levitical Prieſthood and Church men under the Goſpel, that whereas the former had not the charge of Souls, the latter had it; and yet *page* 323. I ſay the diſtinction of *with cure* and *without cure* is ill grounded, and ſavours too much of the niceties of the Canoniſts. Now where to find out the contradiction here, is really above my skill; I had aſſerted that Church-men under the Goſpel have the care of Souls; and purſuant to this, I rejected the diſtinction of benefices *with* and *without cure*, (the word *benefice* was left out, for it would have ſpoyled this imaginary contradiction.) If the quarrel to me is, becauſe I am diſpleaſed with thoſe, that whatſoever be the nature of their Benefice, are ſure to make them *ſine cures*, I muſt ſubmit to his indignation, for I cannot eaſily change my mind in that particular.

The next contradiction is no leſs ſtrange, *page* 126. I blame Biſhops for turning Souldiers; and yet *page* 131. I relate how they were forced to go to the Wars. Now if it is impoſſible to force a man to do a thing unbecoming his profeſſion; here's a contradiction with a witneſs: But he may as well call it a contradiction to blame men for apoſtatizing from the Faith, and yet ſhewing how they were forced to it by Perſecution.

Having thus far examined the contradictions objected to me, I now come to conſider another part of my charge that falls under the fifth head, of my *odd and miſtaken aſſertions, falſe reaſonings, weak ſuggeſtions*, which only ſhew *ill will to the power and rights of the Clergy*; and of this he gives ten inſtances.

Page 18. I tell that St. *Cyprian* gathered 100000 Seſterces for redeeming Captives, and yet *page* 21. I ſeem to think it Poetry in *Prudentius*, when he mentions the Chriſtians offering thouſands of Seſterces: whereas I made no reflections on the quantity of the ſumm, but upon that acuſation of the Heathens, that the Chriſtians ſold their Lands

Lands, and brought in the prizes of them, and of this all I ſay, is that it's hard to determine how much of Poetry may be in it.

Page 65. He accuſes me, that in imitation of Mr. *Selden*, I cite Canons that were made to prevent abuſes, and were frequently eſtabliſhed upon one or two ill practices, to prove abuſes crept into the Church, which he calls a *falſe* and *diſingenuous way of arguing*. This I had ſaid when I began to treat of the Canons of the Council of *Chalcedon*, and eight of theſe Canons do expreſsly mention abuſes crept in: Now one would think that this might ſuffice to acquit me of falſhood or diſingenuity. The maxime is not more common than true, *Ex malis moribus oriuntur bona leges*, and few Law-givers have the foreſight to prevent abuſes, though all that are good have the zeal to condemn them when they appear.

Page 72. He accuſes me for ſaying that in St. *Chryſoſtome*'s time there was no rule ſet for the Charities of Chriſtians, and ſays that my own inſtances prove they thought it a ſin to give leſs than a tenth; yet St. *Chryſoſtome* expreſsly ſays he did not pretend to make a Law in that matter: and there is one diſtinction that he ſeems reſolved never to obſerve, between the ſetting a rate on what the Chriſtians were bound to pay into the Church, and the directions that were given them for their Charities.

Page 80. He condemns me for what I ſay againſt converting fines to Secular uſes, and ſays that ſince the money raiſed out of Tythes may be applied to the maintenance of ones family, which is a Secular uſe, why may not fines raiſed by Leaſes be applied to the ſame purpoſe? But it's clear I was ſpeaking of thoſe Fines that were raiſed to the prejudice of ones ſucceſſors or of the Church, ſo in this caſe I plead for the Rights of the Church. There is indeed no reaſon to blame the levying of fines, if the Leaſes do laſt but ones own life; but I cannot ſee why an Incumbent ſhould have a conſideration for thoſe years in which his Succeſſors may enjoy the Benefice.

Page 113. He ſays I applaud the diſtinctions found out to diminiſh the payment of a full tenth part, whereas I neither applaud them nor condemn them, but barely relate matter of fact: He alſo accuſes me for calling it the heavieſt tax that any Nation ever came under, *as if I forgot that this is all that men give for the proviſion of Miniſters to look to their Souls*, which inſinuates that he thinks it ſtill too little; And ſays, that I do not conſider *that the Jewiſh* Nation was put under a double Tythe by God himſelf. This laſt

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he knows I have considered, and shewed the difference between Jews and Christians: The former having their soil given them immediately by God, who might therefore lay what charge on it he pleased, which is not the case of Christians. A tenth in a cold climate, upon a moderate computation, will rise to a fifth, if not to a fourth part of the revenue. Now the People of this Nation are estimated at six millions, and the Clergy are about ten thousand; the six hundredth part of the whole. It will be necessary therefore that the proofs be very clear, before it can be easily believed that the six hundredth part of a Nation have by Divine Right, a title to a fourth or fifth part of its Revenue. One would think that the Taxes for the preservation of the State ought in reason to be much higher, the necessary expence of Government being much greater; and yet no Nation in *Europe*, unless it be *France* of late, has paid a half of the full tenth of the growth to the publick treasure. He also goes on confidently in one mistake, though I have taken some pains to rectifie it in my Book, that the Tythes are the Priests portion alone, whereas I have fully proved that at first it was appointed that they should be divided between the Clergy and the Poor: I confess, I have great prejudices to any Doctrine, which if true, puts a whole Nation in a state of damnation, and brings them under so hainous a guilt as the sin of Sacriledge must draw after it. He asserts the Parochial Right of Tythes, and that he that blesses the People has a right to them; and if this is true, then the King, and all the Nobility and Gentry that are impropriators, all the Bishops, the Cathedrals, Hospitals and Colledges who have impropriated Tythes in their Revenues, and all Non-residents who farm out the blessing of their people to their Curates, and yet raise the Tythes, must be every one of them in a state of damnation. For the last of these I am not very sollicitous, but for the former, I will not easily drink in such a damning Doctrine.

Page 117. He accuses me for gathering some odd pretences to give reason why Tythes were easier to the *Jews* than to us: He says, I urge the vast number of the Priests, and one would think that the thirtieth part of a Nation (which was the lowest proportion of the Tribe of *Levi*) had a right to a greater portion than the six hundredth part. He also says that I urge the fruitfulness of their Land and the barrenness of ours, which, he adds, I drew from the

Quakers

Quakers Books, but I can aſſure him, if he will believe me, I never read one of them on this Argument. I think it is no ſuch Myſtery but that any Man might have hit on it, that a fruitful Land may pay a greater Rate than a barren: But I have given no advantage to the Quakers for their unjuſt Robbery of Church-men, or rather the robbing of God, in detaining that which the Law provides for them; which it might well do, tho there were no antecedent divine Right making it neceſſary: and the Law, which is the Meaſure of Property, having determined this, the denying to pay it is as much Injuſtice, as robbing on the High-way: the Sin of which is not one Jot the leſs, tho no Man can make out his Title to his Goods from a divine Right. And the Sin of this is ſo much the greater, as the robbing God muſt be greater than the robbing a private Perſon.

Page 118, he accuſes me for *affirming falſely concerning us and the Jews, that the ſame Rule was applied to all: tho I grant that the Jews Tithe was but a fifth Part, and know that the Chriſtians was but a tenth.* So here I lie againſt my Conſcience. I will not ſay this is a willful Miſtake in him, but I am ſure it is a groſs one; for the *all*, to whom I ſay the *ſame Rule was applied*, does not belong to Jews and Chriſtians, but to the Northern and barren Climates, where the Returns are not above ten, five, and in ſome not above three. And for the kindneſs of his Cenſure, I leave it to his own Conſcience to conſider, how far he is bound to ask God Pardon for it.

Pag. 172. He condemns me for my Criticiſm about the Term *Biſhoprick* Anno 1077, and ſays, that I bring Proof that it was earlier uſed: and yet all that Proof is the Title of a Chapter, where it is once uſed; and every Body knows that Titles were ſet before Books or Chapters ſome Ages after they were written.

Page 199. He accuſes me for ſaying that Kings might begin the Seizure of the Goods of deceaſed Biſhops, as repreſenting the People, who before might make thoſe Seizures: and whereas the Poor at firſt made them, he argues that the Kings could not be ſuppoſed to repreſent the Poor. But ſince I pretend only in this Matter to proceed upon Conjecture, any Errour I may be guilty of, ought to be eaſily forgiven me: and I tell what might have fallen out in Fact, and not what is to be defended in Right. It is probable, as long as the Biſhops were poor, the poor only ſpoiled their Goods; but when they grew rich, it is like enough others might have mixed with the poor in theſe Spoils, and that might have invited the Officers of Princes firſt to ſeize on them.

Page 320, He accuſes me for ſaying that there was nothing ſo dedicated under the New Teſtament as was under the Old, and cites that of *Ananias* and *Saphira*. But certainly great Difference is to be made between a voluntary Dedication, and a divine Appointment, and between the Laws of God, that cannot be repealed but by the ſame Authority that firſt enacted them, and human Laws, that are ſtill ſubject to the ſupream legiſlative Power.

But his laſt Inſtance makes Amends for all the Defects in the former. This Nation has been under great Apprehenſions of Popery: many Expedients have been propoſed, and the Dangers have been much conſidered, and nothing has been more ſeriouſly examined by both King and Parliament for ſome Years, but none of them were ſo wiſe as to foreſee one Danger, with which he frights me: Becauſe *I determined, that a Popiſh Prince may extend the Regale to all Churches in his Dominions, and this he thinks an unſeaſonable Aſſertion to publiſh here in* England, *as our Caſe ſtands with reſpect to the next in Succeſſion.* But if this be all the Danger he apprehends, he may go to bed and ſleep very ſecurely, for the *Regale* is already in the Crown here, and has been for ſome Ages extended to all the Churches in *England*. So the next Prince can add nothing to what the Crown is already veſted with.

The ſixth Head, for which I come under his Diſcipline, is the many groſs Reflections on the Clergy, both ancient and modern, which he thinks *prodigiouſly ſtrange*, and eſpecially in this Age, and that the rather, that the Ground of many of the Accuſations is falſe, and to bring this to Inſtances he complains, that

Page 26, I inveigh againſt the Corruptions of the Church in the Beginning of the fourth Century, and yet acknowledg that the better and ſounder Part did ſtill prevail in publick Synods: from which he inferrs, *that if the major Part was good, there was no Ground for that Invective*: Yet any that reads that Paſſage will hardly find much of *Invective* in it, and it's far ſhort of what might have been cited from *Nazianzen* and *Chryſoſtom*, whoſe Credit he would be ſure to magnify, if it made for him. The running backward and forward as they did, in the fundamental Points of Faith, will juſtify a far ſeverer Character than I give of them: and may not a Church be corrupted, tho the Majority continues ſound? Nor can we judge of the Majority of a Church, by the Majority of a Synod, for all Biſhops did not come to every Synod. And I may likewiſe add, that many will be guilty of ill Practices, that have not the Face to defend them, when they come to be examined.

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Page 33, He accuſes me for calling *Conſtantius* a ſuperſtitious weak Man, upon the Credit of *Marcellin* a Pagan Writer. How judicious a Writer he is, all learned Men know: and that Paſſage, I refer to, has been cited by many of the greateſt Men of this and the former Age. Nor was it quoted by me as a Proof, but as an excellent Saying. The Law *Conſtantius* made for Churchmen, by which the driving of Trade and Merchandize among Clergy-men was ſet on, and encouraged, was ſeverely cenſur'd by St. *Jerome*, one of the beſt Men of that Age, who ſaw the ill Effects it had. But he ſays, I repreſent *Martel* as a brave Man, who robbed the Church. Do I ſay any Thing in Commendation of him for his Vertues? I only ſpeak of his good Conduct and great Succeſs in his Wars; and if this raiſes his Spleen, I muſt conclude that he is very much ſubject to Vapours.

He, in the next Place, accuſes me for repreſenting *Puleheria* as ſuperſtitious; and cites two Authors that ſay, ſhe was a prudent and pious Woman, but in this he ſhews no great Judgment of Church-Hiſtorians. The firſt is *Zonaras*, that lived almoſt ſeven Ages after her Time, ſo that he might have cited *Baronius*, or the VVriters of this Age, as well as one that lived ſo long after her. And for *Socrates*, he does not bring his Hiſtory down to her Reign nor can I find a VVord of her in him; tho in this I cannot be poſitive, having only curſorily run over his laſt Book. If he had quoted Book and Chapter, I could have ſought it out, but the naming the Page, without he had alſo named the Edition, helps me little: yet I do not deny that ſhe was a very pious and prudent VVoman, nor do I call her *ſuperſtitious*; but ſay that ſhe was, even to *Superſtition*, ſet on raiſing the Authority and Greatneſs of the Church: which is a far milder Expreſſion than that he faſtens on me.

Page 54 He accuſes me for thinking that the Strength of our Separatiſts lies in the ill Lives of the Clergy: But in what does he think their Strength lies? Is it in their Cauſe, or their Arguments? I am ſure if I had ſaid this, he would have charged it home upon me, and with Reaſon. But after all I only ſay the chief Advantages that the *Donatiſts* then took, were from the Corruptions of the Clergy: and this he muſt either know to be true, or he is a great Stranger to all St. *Auſtin*'s VVritings againſt them: and that Diſcourſe I conclude with this general Expreſſion: *That in thoſe Prejudices, with which the Vulgar are poſſeſt, from the Diſorders which they obſerve in the Perſons and Conduct of Church-men, lies the Strength of all Dividers from the publick Conſtitutions*: which I ſet down as a gene-

ral Maxime, without applying it to our Separatiſts.

Page 59, To ſhew his great exactneſs in Chronology, he ſays, that before the fourth Council at *Carthage* the African Churches had been lately oppreſſed by the *Vandals*; but *Baronius* and the Collectors of the Councils, place this Anno 398, and the firſt mention of the *Vandals* invading *Gaul* is Anno 406. Nor did they invade *Africk* till the Year 427, 28 Years after this Council. The other Parts of this Remark are not worth the anſwering.

Page 120 He ſays I boaſt of an odd Diſcovery of the VVeakneſs or Diſingenuity of the Biſhops, in making two contrary Decrees in one Day: but adds, that if we compare *de Marca* with *Baluzius*, both theſe make good Senſe in one Law, and have no Contradiction in them. *Baluzius* ſpeaks not a VVord of the Canon, and only ſets down the Edict: nor does *de Marca* offer to reconcile them, but only ſays that the Biſhops made the Canon according to the Eccleſiaſtical Rules; and that in the Aſſembly of the States they would not ſtrugle againſt the King's Inclinations. But if the *Annulling of Ordinations made by Authority, without the regular Way of Election*, which is in the Canon, be not plainly contradicted by the *Proviſo* that is in the Edict, *for excepting from this Rule thoſe that were choſen out of the Palace*, I muſt learn again the Uſe of the Parts of Speech.

Pag. 141 He accuſes me of ſpeaking, without any juſt Ground, contemptibly of the divine Right of Tithes, and for calling Arguments for it *irkſom Stuff:* and all this is, becauſe I ſpeak ſlightly of thoſe who run it up to *Adam*, and ſay that *Abel* was a true Tither, and *Cain* a falſe one; of this I ſhall ſay nothing, but refer it to every good Judge. He alſo complains that I with Satisfaction relate (Page 196, and 200) that all was thought well gotten by Princes, that could be got from the Clergy; tho I expreſs no Satisfaction at that, but on the contrary great Regret at the Scandals of Church-men, which made Princes and others loſe that eſteem that former Ages had for them.

Page 166 He accuſes me, that here and in many other Places I induſtriouſly ſearch for thoſe Canons, that may reflect moſt on the preſent Biſhops and Clergy, and omit many that were more pertinent to the *Regale*: when he diſcovers theſe Omiſſions I ſhall be beholden to him, but till then, I muſt look on theſe as ſo many angry VVords; nor are any of the Biſhops that I know concerned in thoſe he refers to.

But his Diſpleaſure againſt me riſes higher in the ſeventh Head,

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in which he represents me as a Criminal against the State; and the Care that was taken to convey these Animadversions by the Penny-Post to a great Minister, who is known to have much Goodness for me, shews well on what design this was writ.

Page 97 He says I enlarge the Words of *Gregoras*, but wisely adds, if his Edition is right; so he is safe till I know his Edition: but let the Reader take them in Greek, and then see what can be objected to my Translation: δία γὰρ τοῦτο τοιούτῳ οἱ βασιλεῖς ἐς τοιούτας ἐκλέγονται τὰς ἀρχὰς ἵνα τοῖς τούτων εὐχερῶς ὑποκύπτωσι προστάγμασι καθάπερ ἂν δράποδα καὶ μηδενὶ τῶν ἁπάντων ἐναντία φρονῶσι.

Page 199 He accuses me for saying that Princes do commonly assert a Right for any Thing which their Ancestors have once practised; and to this he answers that of late Parliaments in *England* have done this oftner than Kings. But what am I concerned in this? I did not blame Princes for Building upon Prescription, but was only historically shewing, that the Practice of the Regale was confest to be an Abuse at first, but after a whiles Continuance, it was claimed as a Right.

Page 244 He shews first great Unacquaintedness with French Constitutions, in calling the *Court of Parliament at* Paris *the Parliament of* France: And when *Francis the first* had delivered up the best part of the Liberties of the French Church to the Pope; he insinuates as if it were Sedition in me to reflect on the Arbitrariness of that King, and the ill Effects of that Temper: nor do I know what relation this has to late Proceedings, except he will presume to fasten the Imputations of Arbitrariness upon his Majesty. But as it was observed to be a Mark of good Times under the Romans, when Men might safely speak against the Tyranny of former Princes; so his Majestie's mild and gracious Inclinations are so well known, and his Resolution to govern according to Law hath been so often and so lately declared, that I am not at all afraid of incurring his Displeasure by speaking against *Arbitrariness*.

Page 250, 251 He mentions a large Encomium I give of stiff Parliaments, which he says he needs not transcribe, nor tell what it aims at: nor need I tell what he aims at in this. But it seems he cannot tell what I aim at; for he Mistakes the Thing, and does not rightly distinguish between their Courts of Parliament in *France*, which answer to our Judges; and their Assembly of States, which answers to our Parliaments. The Ground of that Contest was, Whether they should deliver up their Liberties to the See of *Rome*? and if he condemns me for commending the Firmness of

Judges

Judges in this Point, it's plain enough what he aims at.

And for a parting Blow he concludes, that the whole Diſcourſe is ſo very partial for Popular Elections, and ſtrains all Places to make it ſeem they had more Right than indeed they ever had, that it ſeems writ to court the Favour of the People. But if he would temper his Acrimony a little, he would ſee that I have overthrown the Argument for popular Elections much more effectually, than if I had entered into a long VVrangling about Matter of Fact. I ſhew that they began not upon any divine Right, but upon the Circumſtances in which the Church was during the firſt three Centuries: And that as ſoon as the Government became Chriſtian, the Town-Councils and Poſſeſſors of Lands took it out of the Hands of the Rabble; which had not been obſerved by any that writ before me, that I could fall on: ſo that I think I have effectually overthrown any Argument that can be drawn from the Practices of that Time. One thing I muſt obſerve that on which Side ſoever I may ſeem to write, I muſt fall under his Diſpleaſure; for when I aſſert a Prince's Prerogative of extending the Regale to all the Churches of his Dominions, he tells me of the Danger of a Popiſh Succeſſour: and if I acknowledg Matter of Fact as to popular Elections, he ſays I write for the People. I ſee I am irrecoverably loſt with him; but a Man muſt bear his Misfortunes with a patient and conſtant Mind.

The eighth Head is of divers Errours in Chronology, which he is pleaſed to ſuppreſs: tho it appears by his Inquiries into the Hiſtory of the *Vandals* that he has a peculiar Talent in that. Some Men always love to be toſſing great Names, and therefore he is ever frighting me with the Authority of Dr. *Beveridg*, whom, for his great Learning and rare Worth, I eſteem as much as any Man I know: and he, to his other excellent Qualities, adds ſo generous and worthy a Diſpoſition of Mind, that he is not at all offended with thoſe, who cannot in every Point agree with him. Therefore as long as I uſe that Liberty to which all that converſe in Books have a Right, of following what I think beſt grounded, notwithſtanding the learned Performances of worthy and great Men, I am not at all afraid of inourring his Diſpleaſure.

His laſt Exception falls on the Compoſitors and Correctors, and therefore I am little concerned in it.

When he had thus performed this Piece of Diſcipline upon me, in which if I have eſcaped without any harm done me, I have ſomewhat elſe than him to thank for it; he dreſſes up a new Scene that he may fall on me again; and as if all that had been ſaid, were nothing,

thing, he begins anew. He leaves it to his Friend to communicate it to me or not, when between them it was reſolved to ſend it to the Preſs. Then he makes his Conjectures about my Temper, and ſays, *Perhaps I will deſpiſe it, and ſtudy Revenge for this modeſt Admonition.* I confeſs I cannot admire it, but I heartily pity him for writing it, and do earneſtly pray to God to inſpire him and all Church men with a better Temper: and this is all the Revenge I ſhall return on him. But ſure he has a peculiar Dictionary of Engliſh Words for himſelf, when he calls this a *modeſt Admonition.* Yet, whatever he thinks of me, it's very evident from what follows, that he thinks well of himſelf. But to drop ſome Crumbs of Comfort, as a little Oil after a ſevere Whipping, he ſaies he is loth to believe that I ſhou'd directly deſign Miſchief to the Church, and is willing enough to believe that this Piece was writ in haſte; and then he tells me on what Terms he may be confirmed in this favourable Opinion: yet, leſt this Tenderneſs ſhould make me too wanton, he adds, that if this *modeſt Admonition* does not work on me, I muſt expect a rougher Hand. But to this I gave my Anſwer in the Beginning of this Paper.

As for the Books that he enjoyns me to read, if this is all the Penance he will lay on me, I hope I may recover his Favour. I have read and do much admire Dr. *Beveridg* his Vindication of the Apoſtolical Canons, and am fully convinced by him, that there was an Eccleſiaſtical *Rule* or *Canon* received in the Church before theſe Counci's that met in the Beginning of the fourth Century. But if I am not yet perſuaded that that was put in Writing, and in the ſame Form in which we now have it, and inſtead thereof think it conſiſted rather in a Tradition, and conſtant Practice, I hope that excellent Perſon will be more favourable to me, than to think the worſe of me for it.

He next directs me to ſome Authors that have writ of the Right of Tithes: but I wonder he did not name Dr. *Comber* his late celebrated Book on that Argument, for whoſe Perſon and Writings I believe he has a ſingular Affection and Eſteem; yet I can aſſure him that tho that Book came into the World too late for inſtructing me before I writ concerning the Regale, yet I have read it perhaps with as much *Care*, and more *impartiality* than he uſed in reading mine; and do look on it as a very learned Work: and hope that worthy Doctor will not make War with me, if I cannot be in all Things of his mind. I think I have now ſaid enough to ſatisfy all diſintereſſed Perſons, and even the Animadvetrer or the Publiſher themſelves

ſelves, that there was no juſt Cauſe given by any Thing in my Book, for ſuch ſevere Cenſures as he faſtens on me; and I hope he is freed from the Apprehenſions he ſeemed to be under, leſt Papiſts and others ſhould take Advantage from any Faults in this Book to weaken the Credit of my other *Pieces*: which honourable Compellation is beſtowed on ſome Volums in Folio, that have had the Luck not to be ill-received in the World. But I hope the Credit not only of thoſe *Pieces*, but even of my *Piece* of the Regale, ſhall not ſuffer much by the Performance of this *Piece* of his Animadverſions.

So much I have thought fit to ſay in my own Vindication. I hope all along I have not forgot the Caution that was given me, of tempering my ſtile ſo, that nothing of reſentment ſhould appear in it: If any Thing has eſcaped me, that ſavours of it, it has fallen from me unawares; and I humbly beg Pardon for it of the Perſon concerned.

FINIS.

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